

REMARKS

Amendment summary

Claim 1 is canceled.

Claims 2 and 7 are amended to place them into proper format and are also amended to incorporate subject matter from Claim 1. Claim 2 is further amended to clarify Ar¹ and Ar².

Claim 4 is amended due to the amendment to Claim 2.

Claim 9 is amended to remove an improper multiple dependency.

No new matter is added by this amendment, and Applicants respectfully submit that entry of this Amendment is proper.

Information Disclosure Statement

Applicants note that the Examiner did not indicate that the references listed on the Information Disclosure Statement (IDS) submitted on September 24, 2004 have been considered because Applicants had not provided copies of the references therein. However, as indicated in the transmittal letter of September 24, 2004, it is expected that copies of the references will be supplied by the International Bureau (IB). Accordingly, Applicants respectfully request that the Examiner obtain copies of the references from the IB and consider the references.

Status of the claims

Claims 1, 2, and 4-9 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1, 2, 8, and 9 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Robinson et al. in Chem. Commun. 2000, pp. 1645-46 (hereinafter "Robinson"). In addition, Claims 1, 2, and 5-9 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kamitani et al. (U.S. Patent No. 6,953,628) (hereinafter "Kamitani"). Finally, Claims 1, 2, and 4-9 have been rejected under 35 U.S.C. § 102(e) as

allegedly being anticipated by Lo et al. (U.S. Patent Application Publication No. 2005/0116622) (hereinafter “Lo”).

Response to rejection of Claims 1, 2, and 4-9 under 35 U.S.C. § 112

Claims 1, 2, and 4-9 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Examiner asserted that Claim 1 was unclear and Claims 2 and 7 were incomplete.

Applicants note that Claim 1 has been canceled, and Claims 2 and 7 have been amended. Accordingly, Applicants respectfully submit that this § 112 rejection has been rendered moot.

Response to rejection of Claims 1, 2, 8, and 9 under 35 U.S.C. § 102 based on Robinson

Claims 1, 2, 8, and 9 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Robinson. Applicants respectfully submit that Robinson does not anticipate the presently claimed invention, in which Ar¹ represents a residue of a ligand which bonds to M¹ by one or more of nitrogen atom, or carbon atom, and has covalent bonds to j pieces of As. Accordingly, Applicants respectfully submit that Robinson does not anticipate the presently claimed invention. Applicants therefore respectfully request the reconsideration and withdrawal of this § 102 rejection.

Response to rejection of Claims 1, 2, and 5-9 under 35 U.S.C. § 102 based on Kamitani

Claims 1, 2, and 5-9 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kamitani. Applicants respectfully submit that Kamitani does not anticipate the presently claimed invention, in which Ar² represents a residue of a ligand which bonds to M¹ by one or more of nitrogen atom, oxygen atom, carbon atom, sulfur atom, or phosphorus atom, and has covalent bonds to k pieces of Ds, and in which D is a divalent group derived from conjugate system.

Response to rejection of Claims 1, 2, and 4-9 under 35 U.S.C. § 102 based on Lo

Claims 1, 2, and 4-9 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Lo. Applicant respectfully submits that Lo does not constitute prior art against the present invention.

Applicants submit herewith verified English translations of their priority documents, which contain support for the present claims in at least the following passages:

Claim	Support in Priority Documents <u>JP-2002-086173:</u>
2	<ul style="list-style-type: none">• Claim 1;• paragraph [0009]
3	<ul style="list-style-type: none">• Claim 1;• paragraph [0009]
4	<ul style="list-style-type: none">• Claim 1;• paragraphs [009]
5	<ul style="list-style-type: none">• paragraph [0058]
6	<ul style="list-style-type: none">• paragraph [0062]
7	<ul style="list-style-type: none">• Claim 1;• Paragraphs [0058]-[0059], [0062]
Claim	Support in Priority Documents <u>JP-2002-086174</u>
8	<ul style="list-style-type: none">• Paragraph [0013]
9	<ul style="list-style-type: none">• paragraph [0138]

Accordingly, Applicants respectfully submit that Lo does not constitute prior art, and respectfully request the withdrawal of this § 102 rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

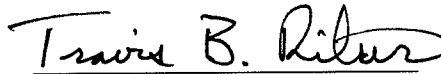
Respectfully submitted,

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